

Bylaws of the Kane County Tourism Tax Advisory Board

ARTICLE I KANE COUNTY TOURISM TAX ADVISORY BOARD

The Kane County Tourism Tax Advisory Board (“Travel Council” or “Board”), is an advisory board functioning under the direction of the Kane County Board of Commissioners (“Commission”) and established under the authority of Utah Code §17-31-8. The Travel Council serves all of Kane County and its principle office is located at the Kane County Office of Tourism, 78 South 100 East, Kanab, Ut 84741.

ARTICLE II BOARD DUTIES AND STRUCTURE

- A. Duties. The Kane County Tourism Tax Advisory Board (“Travel Council” or “Board”) is an advisory board serving at the pleasure and direction of the Commission with the primary purpose of advising the Commission on the best use of revenues collected from the tax allowed under Utah Code § 59-12-301 (Transient Room Tax) and Utah Code § 59-12-603 (TRCC or Restaurant Tax), by providing the Commission with a priority listing for proposed expenditures based on projected available tax revenues supplied to the Travel Council by the Commission on an annual basis. Additionally, the Travel Council will provide assistance, guidance and advice to the Director of the Kane County Office of Tourism in the promotion of tourism in Kane County.
- B. Board Composition.
1. The Travel Council shall consist of seven members who are appointed by the Commission. In making the appointments the members of the board shall satisfy the below requirements of Utah Code §17-31-8(3):
 - i. All members shall be residents of Kane County;
 - ii. At least four members (a majority) shall be currently employed by an entity located in Kane County that is subject to the Transient Room Tax or Restaurant Tax; and
 - iii. Those who are not employees of an entity subject to the above taxes shall be employees of recreational facilities, convention facilities, museums, cultural attractions, or other tourism related industries located within Kane County.
 2. It is recommended that the Board also meet the following suggestions:
 - i. One member who is a resident of Orderville, Alton, Glendale, Mt. Carmel, Duck Creek, Cedar Mountain, or Bull Frog;
 - ii. One member who is a resident of Kanab or Big Water;
 - iii. One member who represents the lodging business;
 - iv. One member who represents the restaurant business; and
 - v. One member who represents the public lands sector;
- C. Term of Service. Each Board member shall serve for a two year term. The terms of board members shall be staggered so that an even number of Board members are appointed in even numbered years and an odd number of Board members are appointed in odd years. Board members may not serve more than three consecutive terms.

- D. The Commission shall assign one Commissioner as a liaison to the Travel Council who shall act as an “ex-officio” member of the Board.
- E. Compensation. Board Members and Officers shall serve without compensation or benefits. Board Members and Officer may receive per diem and reimbursement of expenses incurred in the performance of their official duties, in accordance with the Kane County Employee Handbook. Board Members and Officer shall in no way be considered employees of Kane County except as further described herein.
- F. Vacancies. In the event that a board member fails to complete their term of service, the Commission shall appoint an individual to serve the remainder of the unexpired term. Any individual so appointed shall comply with the requirements of sections B and C above. Before the expiration of any term of service when there is a vacancy, the Board shall recommend to the Commission at least three individuals to fill the vacant or expiring position.
- G. The Board shall elect officers as set forth in Article III. The Board may establish such sub-committees, as it determines from time to time which may be necessary to carry out its duties and responsibilities. The committees may make recommendations to the Board, and the Board may accept or reject those recommendations but such sub-committees shall have no power to make decisions that shall be binding on the Board or the County.
- H. The Board may, from time to time, propose to the Commission for approval additional policies and procedures for the continued operation and maintenance of the Board.
- I. Each Board member and officer of the Board now or hereafter serving as such shall be indemnified by Kane County against any and all claims and liabilities that arise while or after serving, by reason of serving, or having served as Board members or officers, or by reason of any action alleged to have been taken, omitted, or neglected by him/her as such Board member or officer, so long as the claim or liability is the result of actions or omissions arising from the scope of the board members service and not due to willful misconduct or gross negligence.

ARTICLE III OFFICERS

- A. The Board shall elect from its voting members a Chairman and a Vice-Chairman, which shall hold office for a term of one year. Each officer shall be elected, or re-elected annually at the first regularly scheduled meeting of the calendar year, or as needed to fill vacancies.
- B. The Chairman shall preside and conduct all meetings of the Board and shall see that all orders and resolutions of the Board are carried out. The Chairman shall vote only in the event of a tie vote.
- C. The Vice-Chairman shall assume the duties of the Chairman in the absence of the Chairman.
- D. The Kane County Office of Tourism may provide a Kane County Employee to act as a Secretary for the Board and shall perform the following duties:
 - i. Attend the meetings of the Board and keep records and minutes of the proceedings;

- ii. Maintain a properly indexed record of all contracts, purchases and agreements made on behalf of the Board.
- E. The Director of the Office of Tourism shall serve and assist the Board as the Executive Director. The Director shall remain at all times an employee of Kane County subject to the policies of Kane County employment. The Director is hired and fired by the Commission in accordance with Kane County Personnel Policies.
- F. The Chair of the Commission or his designated fellow commissioner shall act as the Administrator of the Board. The Kane County Clerk/Auditor shall act as the Chief Financial Officer. All auditing and financial management activities shall be performed in accordance with Kane County policies administered by the Kane County Clerk/Auditor.

ARTICLE IV MEETINGS

- A. Open Meetings Act. As an advisory board for Kane County, the Travel Council is subject to all the requirements of Utah Code § 52-4-101 et. al. as amended, the Open and Public Meetings Act. Members of the Board shall be trained at least annually on the requirements of the Act.
- B. The Board will hold regular meetings throughout the year as determined by the board but not less than four times a year. Notice of the regular meetings shall be published during January of each year and in accordance with the Open and Public Meetings Act. Special meetings of the Board may be called by the Chairman or upon written request of at least two board members. Written notice of each special meeting shall be mailed to all Board members no later than five (5) calendar days prior to the meeting, unless such notice is not possible due to an emergency, in which case notice shall be given to the Board members as soon as possible by the best means practical under the circumstances.
- C. The meetings may be held at tourism related locations in Kane County but at least two Board meetings shall be held at the Kane County Commission Chambers. All meetings are open to the public. Four (4) of the voting Board members constitutes a quorum for purposes of transacting business.
- D. All meetings of the Board shall be conducted in accordance with Robert's Rules of Order as modified by the Board, to the extent that the same are not inconsistent with Utah State Law.
- E. Board members are required to attend all meetings of the Board in person. Failure of a Board member to attend at least three quarters of scheduled meetings per year shall be reason for removal from the Board either by a vote of the Board or the Commission. A Board member may participate via phone conference if unavailable and circumstances permit.
- F. Regarding any issue before the Board, each Board member shall declare any and all perceived conflicts of interest to the Board and shall abstain from voting on the issue.


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ARTICLE V
AMENDMENTS

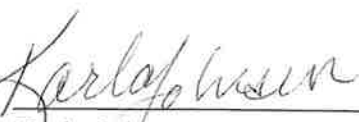
These Bylaws may be altered, amended, replaced or added to at the discretion of the Kane County Board of Commissioners.

Dated: December 17, 2018

ATTEST:


Dirk Clayson
County Commission Chair




Karla Johnson
County Clerk